



IOWA GENERAL ASSEMBLY

Administrative Rules Review Committee

THE RULES DIGEST

January
2014**Scheduled for Committee review**
Friday, January 10th, 2014
Room #116Reference
XXXVI IAB No. 12(12/11/13)
XXXVI IAB No. 13(12/25/13)

HIGHLIGHTS IN THIS ISSUE:

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PROGRESS IN READING, Education Department	3

HUMAN SERVICES DEPARTMENT

9:50

Iowa Health and Wellness Plan, 12/11/13 IAB, ARC 1214C, EMERGENCY.

This filing implements a federal waiver by the Centers for Medicare and Medicaid Services allowing eligibility determinations for current IowaCare members based on income verified by food assistance applications, income verified on Medicaid cases associated with the IowaCare member, Iowa Workforce Development (IWD) wage and unemployment insurance benefits, and income data received from the federal government.

Individuals who were IowaCare members on October 1, 2013, will be evaluated for eligibility for the Iowa Health and Wellness Plan (IHAWP). The members who meet the eligibility requirements, including family income of no more than 138 percent of the federal poverty level (FPL), will be enrolled in the Iowa Health and Wellness Plan effective January 1, 2014. This will allow an estimated 55,000 members to transition directly from IowaCare to IHAWP. Those members who are not eligible for IHAWP or the Family Medical Assistance Program (FMAP) with children will be informed that they will need to apply for new health assistance.

HUMAN SERVICES DEPARTMENT

9:40

Electronic access card use at prohibited locations, 12/11/13 IAB, ARC 1207C, ADOPTED.

The proposed amendments limit the types of businesses at which the electronic access card (EAC) can be used. Recipient households will not be allowed to use their EACs to access benefits at any of the following prohibited locations: a liquor store, a casino, a gambling casino, a gaming establishment, or a retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment. A recipient that is proved to have used the recipient's EAC card at one of the above locations is considered to have committed a fraudulent act, must repay the amount accessed at the location, and is subject to a household ineligibility period.

LABOR DIVISION

11:20

Regulation of boxing and wrestling competitions, 12/11/13 IAB, ARC 1240C, ADOPTED.

As the Athletic Commissioner, the Labor Commissioner has general regulatory authority over boxing, wrestling and mixed martial arts competitions. These rules set general requirements for "athletic events"--a mixed martial arts match, professional boxing match, or wrestling match. Professional events require, proof of insurance, a \$5,000 bond, and other requirements. The event license fee is \$125 for a professional wrestling event, \$500 for an event with only amateur mixed martial arts contestants, and \$750 for all other covered events.

The rules also specify promoter responsibilities; these include ensuring that ambulance and EMT services are available, providing a clean and adequate facility for the competition, and providing \$10,000 of health insurance coverage on each contestant to provide for medical, surgical and hospital care for injuries sustained and illnesses contracted during the event.

EDUCATION DEPARTMENT

12:30

Private instruction and dual enrollment, 12/11/13 IAB, ARC 1246C, ADOPTED..

In 2013, the enacted education reform bill included provisions to allow parents who choose private instruction to enroll their child in competent private instruction, independent private instruction, or private instruction by a nonlicensed person (also deemed a form of competent private instruction for certain purposes). Legislation also

provided changes in the access to and the costs of annual achievement evaluations for students under private instruction. These rules reflect the newly enacted provisions regarding private instruction, align the department's rules with the requirements of special education law, and to make a technical correction concerning blood lead testing.

EDUCATION DEPARTMENT

12:30

State standards for progression in reading, 12/11/13 IAB, ARC 1245C, NOTICE.

The rulemaking implements Iowa Code section 279.68, enacted by 2012 Acts, SF 2284, relating to reading proficiency for students kindergarten through grade 2. Enactment of funding for reading programs by the General Assembly in 2013 Iowa Acts, House File 604, triggered the provisions of the law, requiring the need for rules on this subject. All actions under this new chapter must provide reasonable expectation that a student's progress toward reading proficiency is sufficient to master appropriate grade four level reading skills prior to the student's promotion to grade four. The proposed rules include standards for assessment and evaluation of reading proficiency, identification of students with substantial reading deficiencies, intensive summer reading programs, services provided to students with substantial reading deficiencies, retention of students whose reading deficiency is not remediated by the end of grade 3 who do not enroll in an intensive summer reading program, and good-cause exemptions from the retention requirement. The rules require , each school district to address reading proficiency as part of its comprehensive school improvement plan.

ECONOMIC DEVELOPMENT AUTHORITY

10:10

Employee Stock Ownership Plan (ESOP), 12/25/13 IAB, ARC 1249C, ADOPTED.

2013 Iowa Acts, House File 648 appropriates \$500,000 to financial assistance for businesses wishing to create employee stock ownership plans (ESOPs). Financial assistance includes 50 percent of the cost incurred for obtaining a feasibility study conducted by an independent financial professional. The total amount of financial assistance provided to a business will not exceed \$25,000. Applicants must meet a variety of criteria. Authority staff and members with expertise in the formation of an ESOP will form an advisory panel to evaluate the applications and give them an average

numerical score between 0 and 100. Each application, including its numerical score, will be referred to the director with a recommended funding decision.